

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LIFE INSURANCE COMPANY OF
NORTH AMERICA,

Plaintiff,

v.

DEBRA A. BROWNING and THERESA
A. SCIMECA (Individually and as Guardian of
her minor child, CODY BROWNING,

Defendants.

Case No. 08 CV 00963
Judge Samuel Der-Yeghiayan

ORDER

This Matter coming to be heard on the continuance of Plaintiff's Motion for Leave to Deposit State, Discharge, and Permanent Injunction; due notice having been given; and the Court fully advised in the premises;

IT IS HEREBY ORDERED THAT said Motion is granted, as follows:

- a. Life Insurance Company of North America is granted leave to deposit with the Registry of the Court the stake of \$77,100 ("Proceeds");
- b. Subject to and conditioned upon its deposit of the Proceeds, Life Insurance Company of North America is hereby discharged from any and all liability in this cause and from any and all liability with respect to Policy Number FLX 960387 (the "Policy") as it relates to the death of Jack Browning ("Decedent") and from any and all liability to all parties in this cause and all persons and entities in privity with or claiming through any such party any rights arising under the Policy giving rise to this interpleader action;
- c. All parties hereto and parties in privity with or claiming they are such parties are permanently enjoined, pursuant to 28 USC §2361, from making demand or instituting and prosecuting any other proceeding against plaintiff Life Insurance Company of North America in any court, Federal or State, for the recovery of all or any part of the proceeds of the Policy relative to the death of Decedent;
- d. The Court retains jurisdiction of this cause for the determination of the rights of the respective claimant-defendants in and to the Proceeds;



- e. All claims, counterclaims, and cross-claims against Life Insurance Company of North America are dismissed; and
- f. Life Insurance Company of North America shall have thirty (30) days within which to file a petition for attorneys' fees.

Dated: _____, 2008.

ENTERED:

Judge Samuel Der-Yeghiayan